

Serial No. 10/029,818
Examiner:Andrea Chop
Attorney Docket No: 3952-1

Please amend claim 1 as follows:

In claim 1, line 1, delete “a Band-Aid type” and before “bandage” insert “an adhesive”;

line 10, after “surface,” insert “said overlapping of said release strips beneath said opposite direction laterally extending adhesive strips being of an extent having operative positions beneath said central gauze pad to serve as a closure for said venting openings effective to confine said flow of said viscous adhesive to said venting openings,”;

line 11, after “thereto” insert “while said adhesive deposit thereon is in said viscous state and after a curing of said adhesive being permanently attached thereto,” and delete “while said”;

line 12, delete “release strips are in place,”; and

line 14, change “Band-Aid” to “adhesive bandage”.

A marked-up and clean version of claim 1 accompanies this reply.

The word “jewelry” in claim 1, line 10, is preceded by the preposition “a”, and thus does not need an antecedent basis.

Claim 1 has been rejected under U.S.C. 102(e) as being anticipated by Sullivan U.S. 6,255,553. Reconsideration of this rejection is respectfully requested for the two reasons which follow, namely, (1) that on the merits, amended claim 1 distinguishes over the ‘553 patent and (2) that procedurally, applicant is a prior inventor and the ‘553 patent is not citable prior art.

Among other aspects of novelty, applicant uses to advantage the overlapping of the release strips 28, 30 as best illustrated in Fig. 3, beneath the center gauze 18 to serve as a

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closure of the bottom openings of the vent openings 26, so that the viscous adhesive does not seep through the vent openings 26. The adhesive thus cures in the vent openings 26 and thus holds itself intact as an adhesive coat 36 to which the rhinestones 10 are attached. The aforesaid is recited in amended claim 1, in lines 10-14, and is not disclosed or suggested in the '553 patent. Nor does the '553 patent disclose or suggest the use of see-through clear plastic construction material for the adhesive strips 20 and 22 to minimize their cognitive awareness which otherwise would detract from the jewelry display 10.

On the procedural issue, applicant submits the enclosed declaration swearing behind the filing date of November 5, 1999 of the cited '553 patent.

Favorable reconsideration of this application is respectfully requested.

Respectfully,

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